

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 7
)	
ENVIRONMENTAL SERVICES,)	Case No. 20-06711
INC.)	
)	Honorable Jack B. Schmetterer
Debtor.)	
)	Hearing Date: December 1, 2020
)	Hearing Time: 10:00 a.m.

NOTICE OF MOTION AND HEARING

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on **Tuesday, December 1, 2020, at 10:00 a.m.**, I will appear telephonically before the Honorable Jack B. Schmetterer, or any judge sitting his place, and present the attached **Trustee's Motion to Sell Property of the Estate**, a copy of which is attached and served upon you.

This motion will be presented and heard telephonically using AT&T Teleconference. No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the motion, you must call in to the hearing using the following information—Toll Free Number: 1-877-336-1839; Access Code: 3900709.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

Dated: November 10, 2020

Respectfully submitted,

RONALD R. PETERSON not individually but as
chapter 7 case trustee for the bankruptcy estate of
ENVIRONMENTAL SERVICES, INC.

By: /s/ Ronald R. Peterson

Ronald R. Peterson

Ronald R. Peterson (2188473)
JENNER & BLOCK LLP
353 North Clark Street
Chicago, Illinois 60654
Telephone 312-840-7812
Facsimile: 312-840-7895
RPeterson@jenner.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 10, 2020, Ronald R. Peterson caused a copy of the **Trustee's Motion To Sell Property of the Estate** and the related **Notice of Motion and Hearing** to be served upon the attached Service List by the Court's ECF filing system or by first class U.S. mail, postage prepaid, as indicated.

/s/ Ronald R. Peterson

Ronald R. Peterson

**SERVICE LIST
(20-06711)**

By ECF Notification:

- **Scott E Jensen** sjensen@mjlwchicago.com
- **Patrick S Layng** USTPRegion11.ES.ECF@usdoj.gov
- **David P Lloyd** court docs@davidlloyd law.com
- **Ronald R Peterson** rpeter son@jenner.com,
rpeter son@ecf. axosfs.com; docketing@jenner.com
- **Joel A Schechter** joel@jasbklaw.com, joelschechter1953@gmail.com

By U.S. Mail:

Blue Mountain Holdings, LLC c/o Scott E. Jensen 101 N. Wacker Dr., Ste. 609 Chicago, IL 60606-1783	Blue Mountain Holdings, LLC, assignee of NWE c/o Scott E. Jensen Murray, Jensen & Wilson, Ltd. 101 N. Wacker Dr., Suite 609 Chicago, IL 60606-1783
The Cadle Company 100 North Center Street Newton Falls, OH 44444	Cove Remediation 5316 W. 124th St. Alsip, IL 60803-3205
EHC Industries, Inc. Joel A. Schechter 53 West Jackson Blvd., Suite 1522 Chicago IL 60604-3761	Environmental Services, Inc. PO Box 688 La Grange, IL 60525-0688
Erofin s Test American PO Box 204283 Dallas, TX 75320-4283	Esposito & Staubus 7055 Veternas Pkwy, Unit B Willowbrook, IL 60527-5641
Innerspace Environmental 42 W 612 Still Meadows Lane Elburn, IL 60119-9509	Internal Revenue Service Centralized Insolvency Operations P.O. Box 7346 Philadelphia, PA 19101-7346
Johnson Flooring 9690 W. 55th St. La Grange, IL 60525-3627	Karan Payne 8107 44th St. Lyons, IL 60534-1106

Karen Graham 5530 Willow Springs Rd. La Grange Highlands, IL 60525-3474	NWE8, LLC c/o Murray, Jensen & Wilson, Ltd. 101 N. Wacker Dr., Ste. 609 Chicago, IL 60606-1783
SBA - U.S. Dept. of the Treasury c/o Pioneer Credit Recovery, Inc. 26 Edward St. Arcade, NY 14009-1012	The Cadle Company c/o Markoff Law, LLC 29 N. Wacker Dr., #1010 Chicago, IL 60606-3203
US Bank PO Box 5229 Cincinnati, OH 45201-5229	David P Lloyd David P. Lloyd, Ltd. 615B S. LaGrange Rd. LaGrange, IL 60525-6864
Patrick S. Layng Office of the U.S. Trustee, Region 11 219 S. Dearborn St., Room 873 Chicago, IL 60604-2027	Karen Graham c/o ESI Chicago, Inc. PO Box 303 La Grange, IL 60525-0303
Kathleen Wahl 1006 N. Westgale Rd. Mount Prospect, IL 60056-1449	Kinsale Contracting 648 Blackhawk Dr. Westmont, IL 60559
U.S. Bank - Visa PO Box 790408 Saint Louis, MO 63179-0408	U.S. Bank National Association Bankruptcy Department PO Box 108 Saint Louis MO 63166-0108

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TRUSTEE’S MOTION TO SELL PROPERTY OF THE ESTATE

Ronald R. Peterson (the “Trustee”), not individually but as chapter 7 trustee for the estate of Environmental Services, Inc. (the “Debtor”), respectfully requests that this Court enter an order, pursuant to 11 U.S.C. § 363, authorizing the Trustee to sell certain property in which the Debtor’s estate (the “Estate”) has an ownership interest, and states:

1. On March 10, 2020 (the “Petition Date”), the Debtor filed a petition for relief under chapter 7 of the Bankruptcy Code, 11 U.S.C. §§ 101-1532. Thereafter, the United States Trustee for the Northern District of Illinois appointed Ronald R. Peterson as the permanent chapter 7 case trustee.

2. The assets of the Estate include an ownership interest in certain vehicles, namely a 2012 Jeep Wrangler and a 2013 Ford Focus, both of which are in fair condition (the “Property”).

3. The Estate owns a half interest in the 2012 Jeep Wrangler and the Debtor’s principal, Nicholas Malone, owns the remaining half interest. The Estate owns the 2013 Ford Focus in its entirety.

4. The Debtor’s schedules value the 2012 Jeep Wrangler at \$6,125.00 and the 2013 Ford Focus at \$2,960.00. (Dkt. 1, Sch. A §§ 47.1, 47.2.)

3. Malone has offered to pay \$5,562.00 in cash for the Estate's interests in the Property (the "Offer"). The Offer includes \$3,062.00 for the Estate's half interest in the 2012 Jeep Wrangler and \$2,500.00 for the Estate's full interest in the 2013 Ford Focus.

4. The Trustee does not believe there is any market for the Property other than Malone. Further, the value of the Offer is consistent with the value that Kelly Blue Book ascribes to the Property, which consists of two highly used vehicles that are nearly a decade old, are in only fair condition, and require certain repairs. Consequently, selling the Estate's interest in the Property for \$5,562.00 pursuant to the Offer is in the Estate's best interest as it will bring funds to the Estate for interests that realistically cannot be sold elsewhere for a higher price.

5. Accordingly, the Trustee requests permission for the Trustee to accept the Offer and sell the Estate's interests in the Property to Malone free of all interests, liens, claims, or encumbrances, with such liens, claims, and encumbrances, if any, to attach to the proceeds of the sale.

6. The Trustee also requests a finding that the Trustee and Malone have acted in good faith pursuant to section 363(m) of the Bankruptcy Code in negotiating the transaction, and will be acting in good faith in closing the transaction after the entry of this Order. The Trustee and Malone have negotiated the transaction at arms-length and in good faith. The Trustee further requests a finding that this Court's Order approving the sale is not subject to the stay set forth in Bankruptcy Rule 6004(h).

WHEREFORE, the Trustee respectfully requests that this Court enter an Order substantially in the form attached hereto, granting the relief requested herein and such further relief as is just and proper.

Dated: November 10, 2020

Respectfully submitted,

RONALD R. PETERSON not individually but as
chapter 7 case trustee for the bankruptcy estate of
ENVIRONMENTAL SERVICES, INC.

By: /s/ Ronald R. Peterson

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